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**VIA ECF**

Honorable Lois Bloom, U.S.M.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Moore, et al. v. Rubin, et al.*  
1:17-cv-06404-BMC

Judge Bloom:

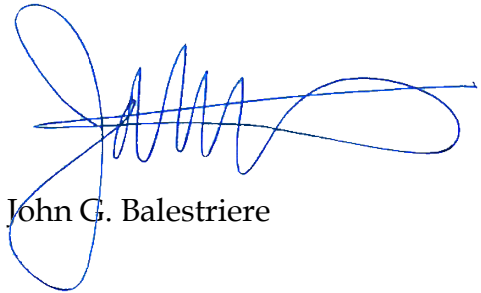
I represent Plaintiffs in the above-referenced action against Defendants Howard Rubin ("Rubin") and Jennifer Powers ("Powers"). I write pursuant to Your Honor's February 24, 2022, Order that required the Parties to supplement their proposed voir dire with a list of additional names that will be mentioned at trial. Plaintiffs submitted a complete proposed voir dire (Dkt. No. 359) that also includes additional questions related to any prospective jurors' background.

Plaintiffs' amendment is appropriate because Defendants' framing of the case—whether Plaintiffs consented to engaging in sexual relations (Dkt. Nos. 342, 360)—is inaccurate. This case is not about whether "rough sex" was permissible, but whether Defendants are liable for human trafficking under the Trafficking Victims Protection Act (the "TVPA"). U.S.C. § 1591. In fact, as the Court of Appeals has found, the TVPA does not even require that an actual commercial sex act—while sex did occur in this case—has occurred. *See United States v. Corley*, 679 Fed. Appx. 1, 7 (2d Cir. 2017). This is akin to how most courts recognize the principle that "rape is a violent act[] rather than a purely sexual act." *United States v. Volpe*, 78 F. Supp. 2d 76, 86 (E.D.N.Y. Dec. 13, 1999) (citing *United States v. Powers*, 59 F.3d 1460, 1465 and n.5 (4th Cir. 1995)).

In light of Defendants' proposed voir dire, Plaintiffs should be allowed to amend their proposed voir dire.

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'John G. Balestriere', with a large, stylized loop at the end.

John G. Balestriere

cc: Counsel of record (via ECF)